

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the Amendment filed October 15, 2008.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul T. Sewell on January 29, 2009.

In the Claims:

Claims 30-32 and 39-42 have been cancelled.

Allowable Subject Matter

3. Claims 25-29 and 33-38 are allowable over prior art.

The following is an examiner's reason for allowance: Prior art includes teachings of barcode recognition apparatuses, wherein the apparatuses capture an image and perform edge detection in order to recognize a barcode present in the captured image. Prior art additionally includes teachings of using data to form a histogram as part of a process to identify the existence or non-existence of an object. The identified prior art of record, taken alone, or in combination with any other prior art however, fails to teach or fairly suggest the specific barcode recognition apparatus disclosed in the currently claimed invention. Specifically prior art fails to teach the barcode recognition apparatus

including a preprocessing means for determining an edge portion of an input image and transforming the determined edge portion into a histogram of brightness, wherein a histogram, defined by the applicant as well as in the art, is a graphical representation of a frequency distribution of a dataset. In the pending claims, the dataset is the edge portion of the input image. A histogram of brightness is created by determining the brightness dynamic range (darkest to lightest) of the edge portions. Prior art further fails to teach a binarization process means for binarizing the preprocessed input image, a labeling means for labeling the binarized input image, and both a barcode field extracting means as well as a barcode recognizing means for extracting a barcode from the labeled input image and recognizing a barcode from the extracted barcode field respectively. The second independent claim 33 disclosed in the current invention is further limiting and therefore is allowable for at least the reasons presented above. The above discussed claim limitations are not disclosed in prior art and moreover, one of ordinary skill in the art would not have been motivated to come to the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**allyson.trail@uspto.gov**].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

/Allyson N. Trail/
Allyson N. Trail
Patent Examiner
Art Unit 2876

January 29, 2009